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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,346	12/15/2003	Vasu Vijay	LEDS.00119	4640

38851 7590 06/27/2006

GARDERE/EDS  
GARDERE WYNNE SEWELL INTELLECTUAL PROPERTY  
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EXAMINER

PEIKARI, BEHZAD

ART UNIT	PAPER NUMBER
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2189

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/736,346	<b>Applicant(s)</b> VIJAY, VASU	
	<b>Examiner</b> B. James Peikari	<b>Art Unit</b> 2189	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because the view numbers are not in accordance with 37 CFR 1.84(u)(1). For example, "FIG. 1" should replace "Figure 1", etc. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

2. The previous objections to the abstract and specification are withdrawn due to the amendment filed on April 7, 2006.

3. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1-7, 9-16, 18-25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (US PG Pub 2002/0188841) in view of Gourlay et al., U.S. 6,920,498.

6. As per claim 1, Jones discloses a method in a requesting local knowledge management server for retrieving digital assets in a distributed data processing system wherein the digital assets are stored in a distributed fashion on local storage devices (Fig 1), the method comprising:

querying a central registry of digital assets for the location of a requested digital asset, wherein the central registry stores identity and storage location information for digital assets within the distributed data processing system (Fig 1, Paragraph 14, 18, 47);

receiving the storage location of the requested digital asset (Paragraph 18, 42);

sending a request for the requested digital asset to an identified local knowledge management server having access to the storage location of the requested digital asset (Paragraph 18);

receiving the digital asset from the local knowledge management server (Paragraph 20).

Jones does not specifically mention that querying the central registry involves accessing a list of storage locations containing the requested digital asset, determining which storage location is “nearest”, and determining the local knowledge management server having access to that nearest storage location. However, such optimized data

retrieval was well known in the art and is the fundamental to the operation of most computer networks, including the internet. Gourlay et al. taught an example of such, including creating a list of storage locations and their distance from a fixed location (note the table created in Step 108 of Figure 3) and choosing the content serving site (management server) with the shortest access times (see Figure 4, element 108).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the data retrieval optimization of Gourlay et al. into the system of Jones, since the two systems were compatible structures and the combination would have been more efficient by providing faster retrieval of data.

7. As per claim 2, Jones discloses the method as recited in claim 1, wherein access to the central registry of digital assets is controlled by a central knowledge management server (Paragraph 47).

8. As per claim 3, Jones discloses the method as recited in claim 2, wherein the central knowledge management server, prior to allowing the requesting local knowledge management server to receive the storage location information, authenticating that the requesting local knowledge management server is authorized to access the central registry of digital assets [Jones discloses that access to metadata requires authentication, thus the local server must authenticate in order to get the required storage information from the central knowledge management server (Paragraph 53)].

9. As per claim 4, Jones discloses the method as recited in claim 3, wherein the central knowledge management server prohibits access to the central registry of digital assets if the requesting local knowledge management server is not authenticated [authentication is required for access, thus an unauthenticated server would be prohibited from accessing the central registry (Paragraph 53, 64)].

10. As per claim 5, Jones discloses the method as recited in claim 1, further comprising:

receiving a reply from the identified local knowledge management server requesting that the requesting local knowledge management server provide authenticating information to the identified local knowledge management server indicating that the requesting local knowledge management server is authorized to access the requested digital asset [Jones discloses that in order to gain access to content authentication is required, since content is stored on local servers, the local management server must require authentication to prove that the requesting local management server is authorized to access the requested digital asset (Paragraph 53, 64)].

11. As per claim 6, Jones discloses the method as recited in claim 5, further comprising:

sending authenticating information with the request for the digital asset indicating authority to access the requested digital asset (Paragraph 53, 64).

12. As per claim 7, Jones discloses the method as recited in claim 1, further comprising:

sending authenticating information with the request for the digital asset indicating authority to access the requested digital asset (Paragraph 53, 64).

13. As per claim 9, Jones discloses the method as recited in claim 1, wherein the digital asset comprises one of audio clips, phone messages, electronically delivered facsimiles, videos, still photographs, text, and graphics (Paragraph 46).

14. As per claims 10 and 19, please see the rejection of claim 1 above.

15. As per claims 11 and 20, please see the rejection of claim 2 above.

16. As per claims 12 and 21, please see the rejection of claim 3 above.

17. As per claims 13 and 22, please see the rejection of claim 4 above.

18. As per claims 14 and 23, please see the rejection of claim 5 above.

19. As per claims 15 and 24, please see the rejection of claim 6 above.

20. As per claims 16 and 25, please see the rejection of claim 7 above.

21. As per claims 18 and 27, please see the rejection of claim 9 above.

22. Claims 8, 17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones/Gourlay et al. as applied to claim 1 above, and further in view of Kobata (US PG Pub 2002/0077986).



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23. As per claim 8, Jones/Gourlay et al. disclose the method as recited in claim 1. Jones does not disclose the method wherein at least some transmissions between the requesting digital asset management system and the identified digital asset management system are encrypted.

Kobata discloses a method wherein at least some transmissions between the requesting digital asset management system and the identified digital asset management system are encrypted (Paragraph 12).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the encryption of Kobata into the system of Jones, since Jones and Kobata form the same field of endeavor, namely digital asset management and this would have allowed greater efficiency by permitting control of electronic delivery (Paragraph 10).

24. As per claims 17 and 26, please see rejection of claim 8 above.

### ***Conclusion***

25. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Peikari whose telephone number is (571) 272-4185. The examiner is generally available between 7:00 am and 7:30 pm, EST, Monday through Wednesday, and between 5:30 am and 4:00 pm on Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reginald Bragdon, can be reached at (571) 272-4204. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'B. James Peikari', with a long horizontal flourish extending to the right.

B. James Peikari  
Primary Examiner  
Art Unit 2189  
6/23/06